

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

BRANDON C. WILLIAMS,

Plaintiff,

v.

STATE OF NEVADA et al.,

Defendants.

Case No. 3:15-cv-00481-MMD-VPC

ORDER

**I. DISCUSSION**

Plaintiff, a *pro se* prisoner, previously filed an application to proceed *in forma pauperis* and submitted a 42 U.S.C. § 1983 civil rights complaint. (Dkt. no. 1, 1-1.) On October 19, 2015, Plaintiff filed a motion seeking to voluntarily dismiss his case. (Dkt. no. 4.)

Pursuant to Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. As such, the Court dismisses this action without prejudice.

**II. CONCLUSION**


For the foregoing reasons, it is ordered that the motion for voluntary dismissal (dkt. no. 4) is granted.

1 It is further ordered that the application to proceed *in forma pauperis* (dkt. no. 1)  
2 is denied as moot.

3 It is further ordered that this action is dismissed in its entirety without prejudice.

4 It is further ordered that the Clerk of the Court shall enter judgment accordingly.

5 DATED THIS 25<sup>th</sup> day of November 2015.

6  
7   
8 \_\_\_\_\_  
9 MIRANDA M. DU  
10 UNITED STATES DISTRICT JUDGE  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28